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May 17, 2022

VIA ECF

Honorable Denise L. Cote
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

**Re: United States v. Joel Alvarez-Espinal
21 Cr. 495 (DLC)**

Dear Judge Cote:

After further consultation with the Government and supervisors in my office, I write to request an amendment of the Court's judgment.

The Federal Bureau of Prisons (BOP) will automatically run Mr. Alvarez's federal sentence consecutive to the New York State sentence, absent a recommendation that he be permitted to serve his time in a state correctional institution. Therefore, I ask that the Court amend its judgment to include a recommendation that the **BOP designates a New York State Correctional Facility as the place of confinement for service of Joel Alvarez's federal sentence.**


It appears that Your Honor has the authority to make the recommendation requested. See McCarthy v. Does, 146 F.3d 118 (2d Cir. 1998). This recommendation will ensure that the Court's sentence is given full effect by permitting Mr. Alvarez to begin serving his federal sentence from today, the date of sentencing, concurrently with his state sentence.

SO ORDERED
May 18, 2022

Respectfully submitted,

/s/Zawadi Baharanyi

Zawadi Baharanyi, Esq.
Counsel for Joel Alvarez-Espinal
212-417-8735



DENISE COTE
United States District Judge

cc: AUSA Matthew Shahabian.

SO ORDERED:

HONORABLE DENISE L. COTE
United States District Judge